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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/307,004	05/07/1999	RICHARD HUMPLEMAN	SAM1.0061	4283

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EXAMINER

CARDONE, JASON D

ART UNIT PAPER NUMBER

2152

DATE MAILED: 05/02/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.  
09/307,004

Applicant(s)  
Humpleman et al.

Examiner  
Jason D. Cardone

Art Unit  
2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Jun 20, 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some\* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☒ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 2
- 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☒ Other: See Attached Office Action

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## **DETAILED ACTION**

### ***Specification***

1. The status of the co-pending applications [Spec, page 2] need to be updated.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lea, U.S. Patent No. 6,052,750, in view of Day et al. "Day", U.S. Patent No. 5,953,526.

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4. Regarding claim 1, Lea discloses a method for performing a service on a home network, the method comprising the steps of:

connecting a first home device to the home network [Lea, col. 5, line 53 - col. 6, line 46 and col. 8, lines 18-28];

connecting a second home device to the home network [Lea, col. 5, line 53 - col. 6, line 46 and col. 8, lines 18-28];

providing application interface description data objects including information in a structured format for commanding and controlling of a home device by one or more other home devices connected to the network [Lea, col. 8, line 8 - col. 8, line 59, col. 9, line 20 - col. 10, line 47, and col. 12, line 1 - col. 13, line 31];

the second home device accessing a first application interface description object for the first home device in the database and the first home device accessing a second application interface description object for the second home device in the database [Lea, col. 12, line 1 - col. 13, line 31 and col. 16, lines 36-67];

sending control and command data from the first home device to the second home device utilizing the application interface description object for the second home device over the network; and sending control and command data from the second home device to the first home device utilizing the application interface description object for the first home device over the network [Lea, col. 12, line 1 - col. 13, line 31 and col. 19, line 48 - col. 20, line 9];

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whereby the first and second home devices perform the service [Lea, col. 19, line 48 - col. 20, line 9].

Lea does not specially disclose providing a database that includes a plurality of application interface description data objects. However, Day, in the same field of endeavor, discloses a library (database) that stores a plurality of application interface description data objects [Day, col. 1, line 17 - col. 2, line 36 and col. 6, lines 9-67]. It would have been obvious to one having the ordinary skill in the art, at the time the invention was made, to incorporate a database, taught by Day, into the communication system, taught by Lea, since Day suggests the use of API, similar to the programming interface for each node disclosed by Lea [Lea, col. 1, lines 9-12 and col. 3, lines 2-10], to be used with Java and Java objects. One of ordinary skill in the art would have been motivated to modify Lea to include the database, in view of Day, so as to be able to make the system more universal (ie. with the use of Java).

Therefore, it would have been obvious to combine Lea and Day (Lea-Day) to obtain the invention as specified in claim 1.

5. Regarding claim 2, Lea-Day further discloses the structured format includes XML format [Lea, col. 3, lines 2-10 and col. 26, lines 34-67] [Day, col. 7, lines 1-50].

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6. Regarding claim 3, Lea-Day further discloses connecting a database device to the network, wherein the database device stores the database [Lea, col. 15, line 61 - col. 16, line 35] [Day, col. 1, line 17 - col. 2, line 36 and col. 6, lines 9-67].

7. Regarding claim 4, Lea-Day further discloses the first home device stores the first application interface data therein, the second home device stores the second application interface data therein, and an initial step of forming the database by steps including querying the first and second home devices to transfer the application interface data for the first and second home devices to the database device [Lea, col. 12, line 1 - col. 13, line 31 and col. 16, lines 36-67] [Day, col. 1, line 17 - col. 2, line 36 and col. 6, lines 9-67].

8. Regarding claim 5, Lea-Day further discloses providing the first application interface description object for the first home device from the database to the second home device over the network [Lea, col. 12, line 1 - col. 13, line 31 and col. 16, lines 36-67] [Day, col. 2, line 54 - col. 3, line 10 and col. 4, line 66 - col. 5, line 21].

9. Regarding claim 6, Lea-Day further discloses providing the second application interface description object for the second home device from the database to the first home device over the network [Lea, col. 12, line 1 - col. 13, line 31] [Day, col. 4, line 66 - col. 5, line 21].

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10. Regarding claim 7, Lea-Day further discloses connecting three or more home devices to the network, wherein at least one home device accesses the database to query the application interface description objects of a plurality of home devices for sending command and control data to the plurality of home devices over the network [Lea, col. 3, lines 2-10 and col. 26, lines 34-67] [Day, col. 5, lines 46-66].

11. Regarding claim 8, Lea-Day further discloses each application interface description object includes data in a structured format [Lea, col. 3, lines 2-10] [Day, co. 6, lines 39-67].

12. Regarding claims 9-17, claims 9-17 have similar limitations as claims 1-8. Therefore, they are rejected under Lea-Day for the same reasons set forth in the rejection of claims 1-8 [Supra 1-8].

### ***Conclusion***

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason D. Cardone, whose telephone number is (703) 305-8484.

The examiner can normally be reached on Monday through Thursday from 9:00am to 6:00pm.

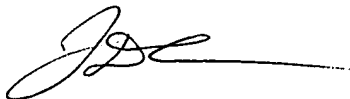
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart, can be reached on (703) 305-4815.

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The fax numbers for the organization where this application or proceeding is assigned are as follows:

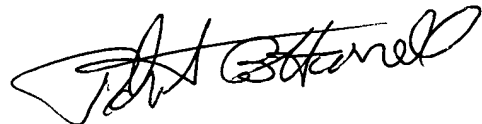
(703) 746-7238	(After Final Communications)
(703) 746-7239	(Official Communications)
(703) 746-7240	(For Status inquiries, Draft Communications)

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist, whose telephone number is (703) 305-3900.



Jason D. Cardone

April 27, 2002



**ROBERT B. HARRELL**  
**PRIMARY EXAMINER**